

**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:

S.C.R. NO. 160, REQUESTING THE ATTORNEY GENERAL TO ASSESS WHETHER THERE HAS BEEN A SUBSTANTIAL OR MATERIAL BREACH OF GENERAL LEASE NO. 231 EXECUTED BY AND BETWEEN THE DEPARTMENT OF HAWAIIAN HOME LANDS AND THE NATIONAL PARK SERVICE.

BEFORE THE:

SENATE COMMITTEE ON HAWAIIAN AFFAIRS

DATE: Tuesday, April 1, 2025

TIME: 1:10 p.m.

LOCATION: State Capitol, Room 224

TESTIFIER(S): Anne E. Lopez, Attorney General, or
R. Hokulei Lindsey, Deputy Attorney General

Chair Richards and Members of the Committee:

The Department of the Attorney General respectfully opposes this resolution.

This resolution makes two requests of the Attorney General: (1) to assess whether there has been a substantial or material breach of the Department of Hawaiian Home Lands' (DHHL) General Lease No. 231 to the National Park Service for lands at Kalaupapa, Molokai; and (2) to determine whether the lease should be rescinded or amended in light of the anticipated transfer of Kalawao County to the County of Maui with the passing of the last patient at the Kalaupapa Settlement. Both requests are premature.

First, the resolution gives no indication that the lease is being breached. If DHHL, the executive agency administering the lease, identifies a possible breach or is concerned with the National Park Service's performance, DHHL will notify the Attorney General. We would then provide legal advice in the normal course of our legal representation of DHHL. We would also assist DHHL in enforcing the lease, if warranted.

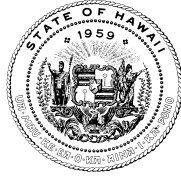
Second, the details of the transfer of Kalawao County to Maui County have not yet been determined. Without more details in place, it is impossible to determine the

impact, if any, on the lease. We therefore cannot determine whether the lease should be rescinded or amended at this time.

We respectfully request that the resolution be held. Thank you for the opportunity to provide testimony on this resolution.

JOSH GREEN, M.D.
GOVERNOR
STATE OF HAWAII
*Ke Kia'āina o ka Moku'āina 'o
Hawaii*

SYLVIA J. LUKE
LT. GOVERNOR
STATE OF HAWAII
*Ka Hope Kia'āina o ka Moku'āina
'o Hawaii*



KALI WATSON
CHAIRPERSON, HHC
Ka Luna Ho'okele

KATIE L. LAMBERT
DEPUTY TO THE CHAIR
Ka Hope Luna Ho'okele

STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS
Ka 'Oihana 'Āina Ho'opulapula Hawaii'i

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TESTIMONY OF KALI WATSON, CHAIR
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEE ON HAWAIIAN AFFAIRS
HEARING ON APRIL 1, 2025 AT 1:10PM IN CR 224

SCR 160

April 1, 2025

Aloha Chair Richards, Vice Chair San Buenaventura and Members of the Committee:

The Department of Hawaiian Home Lands (DHHL) takes no position on this concurrent resolution requesting the Attorney General to assess whether there has been a substantial or material breach of General Lease No. 231 executed by and between DHHL and the National Park Service (NPS).

DHHL recognizes that the federal executive administration has embarked on a reduction in the workforce for NPS. However, DHHL has no reason to believe that there has been a substantial or material breach of General Lease No. 231 by DHHL or NPS. DHHL takes no position on this concurrent resolution, because an assessment by the Attorney General regarding whether there has been a substantial or material breach of GL 231, would not positively or negatively impact DHHL or DHHL's ability to maintain compliance of GL 231. DHHL continues to communicate and engage with NPS to ensure compliance with GL 231 despite recent federal executive administrative orders.

Thank you for your consideration of our testimony.